

IN THE  
UNITED STATES District  
Court of the District  
OF MASSACHUSETTS

B1

United States America  
Plaintiff

6-7-05

Criminal No. 4:05CR40027-

Defendant, F.D.S.,  
Darryl M Young

Motion to Dismiss

DEFENDANT motion to Dismiss with Prejudice for Violation of His Rights under the Interstate Agreement on Detainers and for Violation of His Sixth Amendment Right to a Speedy Trial

DEFENDANT, Darryl Young through undersigned Counsel, respectfully moves to dismiss with Prejudice the pending indictment for Violation of his Rights under the Interstate Agreement on Detainer, 18 U.S.C. App. 2. MR Young also moves to dismiss the indictment with Prejudice for Violation of his Sixth Amendment Right to a Speedy Trial the grounds for this motion are set forth below.

Argument

The DEFENDANT was giving a ARREST WARRANT on the 5-18-05 But not in to they new that the DEFENDANT was giving parole on his D.C. Code Charge, But the F.B.I had the incident at the Federal Bureau of Investigation, from Jan 18, 2005, But they sent a DETAINER after they new I was to get release on Parole on 5-30-05 But the U.S.P.C. move it to 7-30-05

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6-7-05

NOW I HAVE A DETAINER ON ME AND ON THE ARREST WARRANT, SIDE THAT I WAS TO GO TO THE [REDACTED] MAGISTRATE JUDGE FORTHWITH, BUT I'M STILL WAITING AND THEY GAVE ME THE WARRANT ON 5-18-05,

AND THE DEFENDANT WAS GIVEN A INDICTMENT WITH NO NAMES ON IT AND NO CRIMINAL NO.

AND THEY WAS CHARGING ME WITH 18 U.S.C. 111 (A) AND (B) ASSAULT ON A FEDERAL EMPLOYEE, BUT THE COURT CAN'T CHARGE WITH (B) CAUSE (B) IS USES OF A DEADLY OR DANGEROUS WEAPON, AND (INCLUDING A WEAPON INTENDED TO CAUSE DEATH OR DANGER BUT FAILS TO DO SO BY REASON OF A DEFECTIVE COMPONENT)

THE DEFENDANT DID NOT HAVE A WEAPON SO WHY IS HE BEING CHARGED WITH U.S.C. 111 (B) WHEN THERE WAS NOT A WEAPON IN VIOLATION IN THIS CASES SO I THINK THAT 111 (B) SHOULD BE DISMISS FOR THERE WAS NOT A WEAPON, AS YOU CAN SEE THAT IN THE INCIDENT REPORT THAT WAS WORK AT THE INSTITUTION DEVERENS F.M.C. WHERE IT HAPPENED.

Thank you for  
your time.

Darryl Young  
13259-007